



Metcalf Energy Center

Mr. Steve Munro
California Energy Commission
1516 Ninth Street
Sacramento, California 95814

Re: Metcalf Energy Center – Conditions of Certification

Dear Mr. Munro:

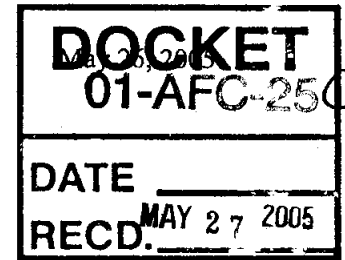
This letter is to inform you that the Metcalf Energy Center (MEC) will be in commercial operation on May 27, 2005, as described by the California Independent System Operator (CAISO). As we discussed on May 18, 2005, MEC accelerated the construction schedule to be in commercial operation prior to the originally scheduled date of July 31, 2005. Since our discussion on May 18, 2005, commissioning and testing activities have proceeded extremely fast, allowing MEC to pass the necessary test criteria within the minimum time frames. During the rapid pace of these activities, this letter was being drafted and should have been sent sooner.

There are two Conditions of Certification for which MEC requests the verification deadlines be modified due to the accelerated schedule as discussed above. The following describes the Conditions and the anticipated timing for completion.

LAND-6 – This Condition requires that MEC restore agricultural fields at least 30 days prior to commercial operation. MEC is still actively using the laydown areas and parking lots that will be returned to agricultural use. Insulation, Painting and Visual Screen contractors are not yet complete with their scopes of work. These contractors will be completing their work during the months of June and July, after which we will be able to begin the restoration activities. MEC expects to complete this required restoration by September 30, 2005. Based on this information, MEC requests that the California Energy Commission modify the verification deadline to reflect this completion date.

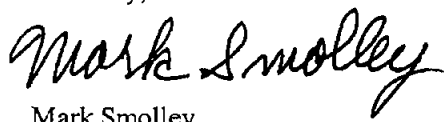
VIS-9 – This Condition requires that MEC install the architectural screen at least 30 days prior to commercial operation. MEC expects to have the architectural screen complete by July 31, 2005, the originally scheduled date for commercial operation. Due to the accelerated commercial operation date, construction, commissioning and performance testing activities in key areas of the plant would be blocked by the visual screen structure and would have been inaccessible for large equipment. Therefore, the erection of the visual screen had to be delayed until such time as these activities would no longer be obstructed by the screen. Based on this information, MEC requests that the California Energy Commission modify the verification deadline to reflect this completion date.

Updated status of VIS-3 – This Conditions requires that MEC install exterior lighting such that it is not visible from the public viewing area. The Condition requires that the lighting be installed prior to commercial operation. The exterior lighting has been installed and is ready for inspection by the California Energy Commission. The Chief Building Official has inspected the lighting and found it to be in compliance with the approved plans. Some of the permanent plant lighting is currently visible from public views. However, the architectural screen described above in VIS-9 will screen these lights from public views. These lights will be kept off, for as much of the time as possible to lessen the impacts.



Please contact me at 408 361-4805 if you have questions.

Sincerely,

A handwritten signature in black ink that reads "Mark Smolley". The signature is written in a cursive, flowing style with a large, prominent "M" and "S".

Mark Smolley
Compliance Manager

From: Mark Smolley <msmolley@calpine.com>
To: "Steve Munro (E-mail)" <smunro@energy.state.ca.us>
Date: 5/26/2005 6:06:28 PM
Subject: Metcalf - Conditions of Certification

Steve - Attached is a letter that describes two Conditions of Certification for which MEC is requesting changes to the verification deadlines. Please contact me if you have questions.

Mark Smolley
Metcalf Energy Center
408-361-4805
msmolley@calpine.com

> -----Original Message-----

> From: ir5000@calpine.com [mailto:ir5000@calpine.com]
> Sent: Thursday, May 26, 2005 5:55 PM
> To: Mark Smolley
> Subject: Attached Image
>
> <<4226_001.pdf>>

CC: Steven Fischer <SFischer@calpine.com>, Sam McIntosh <SamMc@calpine.com>, Bob McCaffrey <bob.mccaffrey@calpine.com>, Dana Petrin <dpetrin@calpine.com>, Lisa Poelle <lisap@calpine.com>, Michael Argentine <margentine@calpine.com>